

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NEW ENGLAND - REGION I
ONE CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

FACT SHEET

DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
PERMIT TO DISCHARGE TO WATERS OF THE UNITED STATES PURSUANT TO THE
CLEAN WATER ACT (CWA)

NPDES PERMIT NUMBER: **MA0004821**

NAME AND MAILING ADDRESS OF APPLICANT:

**Revere Copper Products, Inc.
24 North Front Street
New Bedford, MA 02741**

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

**Revere Copper Products, Inc.
24 North Front Street
New Bedford, MA 02741**

RECEIVING WATER(S): **Acushnet River (MA95-42)**

RECEIVING WATER CLASSIFICATION(S): **SB**

SIC CODE: **3351 (Copper Rolling and Drawing)**
3366 (Copper Foundry)

Table of Contents

I.	Proposed Action, Type of Facility, and Discharge Location.....	3
II.	Description of Discharge	3
III.	Receiving Water Description.....	3
IV.	Limitations and Conditions.....	4
V.	Permit Basis: Statutory and Regulatory Authority	4
A.	Technology-Based Requirements	4
B.	Water Quality-Based Requirements	5
C.	Anti-Backsliding	6
D.	Anti-Degradation	6
VI.	Explanation of the Permit's Effluent Limitation(s)	7
A.	Facility Information	7
B.	Permitted Outfalls	7
C.	Derivation of Effluent Limits under the Federal CWA and/or the Commonwealth of Massachusetts' Water Quality Standards	8
1.	pH.....	8
2.	Total Suspended Solids.....	8
3.	Total Recoverable Copper and Total Recoverable Zinc.....	8
4.	Storm Water Pollution Prevention Plan (SWPPP).....	9
VII.	Essential Fish Habitat.....	10
VIII.	Endangered Species Act	10
IX.	Monitoring	11
X.	State Certification Requirements	11
XI.	Comment Period, Hearing Requests, and Procedures for Final Decisions.....	11
XII.	EPA Contact.....	12

ATTACHMENT A: Site Locus Map

ATTACHMENT B: Summary of Discharge Monitoring Reports

ATTACHMENT C: Outfall Locations

ATTACHMENT D: Essential Fish Habitat Designation

I. Proposed Action, Type of Facility, and Discharge Location

The above named applicant has applied to the U.S. Environmental Protection Agency (EPA) for re-issuance of a National Pollutant Discharge Elimination System (NPDES) permit to discharge storm water into the designated receiving water. The existing permit was signed September 26, 2000 and became effective sixty (60) days later. This permit expired five years from the effective date, on November 25, 2005. EPA received a completed permit renewal application from Revere Copper Products, Inc dated August 26, 2005. Since the permit renewal application was deemed complete and timely by EPA, the permit has been administratively continued.

The Revere Copper Products facility, located at 24 North Front Street in New Bedford Massachusetts (Attachment A), was engaged in the fabrication of copper and copper alloy plates and sheets. As stated in a letter from the facility dated November 6, 2007, Revere Copper Products is no longer in operation and has eliminated all process related wastewater discharges. Based on the long history of industrial activities on this site, EPA is concerned about the effects of residual pollutants in on-site storm water discharges. Sector F - Primary Metals of the NPDES Storm Water Multi-Sector General Permit (MSGP) for Industrial Activities covers storm water discharges from facilities engaged in the type of activities that occurred at Revere Copper. The 2000 MSGP expired on October 30, 2005 and has yet to be reissued. In the interim, Revere Copper is being reissued an individual permit to monitor the storm water discharges from Outfalls 003A and 005A. Once the Final Permit for the MSGP has been issued, Revere Copper will have the option to apply for the MSGP and thus terminate coverage under this individual permit. For an explanation of how the outfalls at the facility have changed since the Existing Permit, refer to Section V.C. of this Fact Sheet.

II. Description of Discharge

A quantitative description of the effluent parameters based on recent discharge monitoring reports (DMRs) is shown on Attachment B of this fact sheet.

III. Receiving Water Description

The Acushnet River has been classified as Class SB under the Massachusetts Surface Water Quality Standards. Title 314 Code of Massachusetts Regulations ("CMR") 4.05(4)(b) states that Class SB waters have the following designated uses: *These waters are designated as habitat for fish, other aquatic life and wildlife and for primary and secondary contact recreation. In approved areas they shall be suitable for shellfish harvesting with depuration (Restricted Shellfish Areas). These waters shall have consistently good aesthetic value.*

Section 303(d) of the Federal Clean Water Act (CWA) requires states to identify those waterbodies that are not expected to meet surface water quality standards after the implementation of technology-based controls and, as such require the development of total maximum daily loads (TMDL). At the point of discharge, the Acushnet River is classified as the New Bedford Inner Harbor (MA95-42). The 2006, 303(d) report states that the New Bedford Inner Harbor, from the Coggeshall Street Bridge to Hurricane Barrier, is not attaining water quality standards due to Priority Organics, Metals, Nutrients, Organic enrichment / Low DO,

Pathogens, Oil and grease, taste, odor, color, and objectionable deposits. The known sources of impairment in this segment are industrial point sources, combined sewer overflows, land disposal, marinas and contaminated sediments.

MassDEP is required under the CWA to develop a Total Maximum Daily Load (TMDL) for a waterbody once it is identified as impaired. A TMDL is essentially a pollution budget designed to restore the health of a water body. A TMDL first identifies the source(s) of the pollutant from direct and indirect discharges in order to next determine the maximum amount of pollutant (including a margin of safety) that can be discharged to a specific water body while maintaining water quality standards for designated uses. It then outlines a plan to meet the goal.

A TMDL has not yet been developed for this segment of the Acushnet River. In the interim, EPA is developing the conditions for this permit based on a combination of technology-based standards, water-quality standards and anti-degradation provisions. If a future TMDL identifies that the discharge from the facility is causing or contributing to the non-attainment of surface water quality criteria, the permit may be re-opened.

IV. Limitations and Conditions

The effluent limitations of the draft permit, the monitoring requirements, and any implementation schedule (if required) may be found in the draft permit.

V. Permit Basis: Statutory and Regulatory Authority

The Clean Water Act (CWA) prohibits the discharge of pollutants to waters of the United States without a NPDES permit unless such a discharge is otherwise authorized by the CWA. The NPDES permit is the mechanism used to implement technology and water quality-based effluent limitations and other requirements including monitoring and reporting. This Draft NPDES permit was developed in accordance with various statutory and regulatory requirements established pursuant to the CWA and applicable State regulations. During development, EPA considered the most recent technology-based treatment requirements, water quality-based requirements, and all limitations and requirements in the current/existing permit. The regulations governing the EPA NPDES permit program are generally found at 40 CFR Parts 122, 124, 125, and 136. The general conditions of the Draft Permit are based on 40 CFR §122.41 and consist primarily of management requirements common to all permits. The effluent monitoring requirements have been established to yield data representative of the discharge under authority of Section 308(a) of the CWA in accordance with 40 CFR §122.41(j), §122.44(i) and §122.48.

A. Technology-Based Requirements

Subpart A of 40 CFR §125 establishes criteria and standards for the imposition of technology based treatment requirements in permits under Section 301(b) of the CWA, including the application of EPA promulgated effluent limitations and Best Professional Judgement (BPJ), for case-by-case determinations of effluent limitations under Section 402(a)(1) of the CWA.

Technology-based treatment requirements represent the minimum level of control that must be imposed under Sections 301(b) and 402 of the CWA (See 40 CFR §125 Subpart A) to meet best practicable control technology currently available (BPT) for conventional pollutants and some metals, best conventional control technology (BCT) for conventional pollutants, and best available technology economically achievable (BAT) for toxic and non-conventional pollutants. In general, technology-based effluent guidelines for non-POTW facilities must have been complied with as expeditiously as practicable but in no case later than three years after the date such limitations are established and in no case later than March 31, 1989 [See 40 CFR §125.3(a)(2)]. Compliance schedules and deadlines not in accordance with the statutory provisions of the CWA can not be authorized by a NPDES permit.

On June 20 1986, EPA promulgated technology-based National Effluent Limitation Guidelines (ELGs) for the Copper Forming Point Source category at 40 CFR Part 468. These ELGs are applicable to discharges from hot rolling, cold rolling, drawing, extrusion, and forging resulting from the manufacture of formed copper and copper alloy products. Revere Copper Products no longer discharges effluent containing wastewater associated with these operations to the Acushnet River. And, therefore, the ELGs at 40 CFR Part 468 do not apply to this discharge. In the absence of applicable technology-based effluent guidelines, the permit writer is authorized under Section 402(a)(1)(B) of the CWA to establish effluent limitations on a case-by-case basis using Best Professional Judgement (BPJ).

B. Water Quality-Based Requirements

Water quality-based criteria are required in NPDES permits when EPA and the State determine that effluent limits more stringent than technology-based limits are necessary to maintain or achieve state or federal water-quality standards (See Section 301(b) (1)(C) of the CWA). Water quality-based criteria consist of three (3) parts: 1) beneficial designated uses for a water body or a segment of a water body; 2) numeric and/or narrative water quality criteria sufficient to protect the assigned designated use(s) of the water body; and 3) anti-degradation requirements to ensure that once a use is attained it will not be degraded. The Massachusetts State Water Quality Standards, found at 314 CMR 4.00, include these elements. The State Water Quality Regulations limit or prohibit discharges of pollutants to surface waters and thereby assure that the surface water quality standards of the receiving water are protected, maintained, and/or attained. These standards also include requirements for the regulation and control of toxic constituents and require that EPA criteria, established pursuant to Section 304(a) of the CWA, be used unless site-specific criteria are established. EPA regulations pertaining to permit limits based upon water quality standards and state requirements are contained in 40 CFR §122.44(d).

Section 101(a)(3) of the CWA specifically prohibits the discharge of toxic pollutants in toxic amounts. The Commonwealth of Massachusetts has a similar narrative criteria in their water quality regulations that prohibits such discharges [See Massachusetts 314 CMR 4.05(5)(e)]. The effluent limits established in the Draft Permit assure that the surface water quality standards of the receiving water are protected, maintained, and/or attained.

C. Anti-Backsliding

EPA's anti-backsliding provision as identified in Section 402(o) of the Clean Water Act and at 40 CFR §122.44(l) prohibits the relaxation of permit limits, standards, and conditions unless the circumstances on which the previous permit was based have materially and substantially changed since the time the permit was issued. Anti-backsliding provisions apply to effluent limits based on technology, water quality, BPJ and State Certification requirements. Relief from antibacksliding provisions can only be granted under one of the defined exceptions [See 40 CFR §122.44(l)(i)]. In 40 CFR §122.44(l)(i)(A) it is stated that "Material and substantial alterations or additions to the permitted facility...justify the application of a less stringent effluent limitation."

The Existing Permit allows for the discharge of storm water, non-contact cooling water, and treated process wastewater through two internal outfalls, Outfall 002A and Outfall 004B, and two external outfalls, Outfall 002 and Outfall 004C, to the Acushnet River. These flows contained process wastewater from the plate mill, hot roll mill, hot breakdown mill and furnace, sheet washer, boiler, and furnace. The internal outfall numerical limits and monitoring requirements chosen by EPA in the Existing Permit were based on the effluent limit guidelines promulgated at 40 CFR Part 468 for the Copper Forming Point Source Category. The limits and requirements for the external outfalls were based on applicable Water Quality Standards.

In October 2003, Revere Copper requested and was given permission by the City of New Bedford, EPA, and MassDEP to re-route their treated process wastewater to the New Bedford WWTP. The City of New Bedford issued Revere Copper Products an Industrial Discharge Permit (IDP #L025) to cover this discharge. Subsequently, the facility disconnected Outfall 004B and re-directed the oil/water separator effluent through Outfall 002A.

According to a letter from the facility, as of November 6, 2007 Revere Copper Products has terminated all on-site copper operations and therefore no longer discharges non-contact cooling water. In addition, the discharge of boiler blowdown from the boilers used to heat the buildings has been re-routed to the local WWTP. The termination of operations and re-routing of the boiler blowdown constitutes a 'material and substantial alteration', and thus antibacksliding provisions do not apply to the Revere Copper facility for previously established technology based limits.

D. Anti-Degradation

The Massachusetts Anti-Degradation Policy is found at Title 314 CMR 4.04. All existing uses of the Acushnet River must be protected. The EPA anticipates that the MassDEP shall make a determination that there shall be no significant adverse impacts to the receiving waters and no loss of existing uses as a result of the discharge authorized by this permit. This Draft Permit is being reissued with effluent limits comparable to facilities with similar discharges and accordingly will continue to protect the existing uses of the Acushnet River.

VI. Explanation of the Permit's Effluent Limitation(s)**A. Facility Information**

The Revere Copper Products facility was constructed in the mid-19th century and, until November 2007, was engaged in the fabrication of copper and copper alloy plates and sheets. The facility received both virgin material from suppliers and scrap metal and material from dealers. These materials included copper as well as other metals such as nickel, zinc, and aluminum. Raw metals were melted in the furnace to make alloys while pre-fabricated solid plates were softened in the Hot Breakdown (HBD) Mill & Furnace and then reformed into new dimensions using the hot and cold rollers. Additional processes that occurred at the facility were quenching, pickling and milling. Final plates were cut to the specifications of the customer and stored uncovered outside until shipment. On November 6, 2007 EPA received a letter from the facility confirming the termination of all on-site operations and the elimination of all process related wastewater discharges. According to the facility, the buildings will continue to be heated by boilers throughout the winter and the discharge of boiler blowdown has been re-routed to the New Bedford WWTP.

B. Permitted Outfalls

The Draft Permit allows for the discharge of facility storm water through Outfalls 003A and 005A (See Attachment C for locations of the Outfalls). Boiler blowdown is discharged to the New Bedford WWTP and not covered under this NPDES permit. Sanitary waste is discharged to the New Bedford WWTP and is covered under an Industrial Discharge Permit (IDP #L025) issued by the City of New Bedford.

Outfall 003A discharges storm water from the northern portion of the facility. The drainage area includes the portion of the facility where materials and final products were stored outside and exposed to the elements. Outfall 005A discharges facility storm water from the southern portion of the facility. The drainage area for this outfall contains several groundwater wells that extract groundwater for treatment in the on-site treatment plant, which is discharged to the New Bedford WWTP. This well water is treated for high levels of copper and low pH. The discharge from Outfall 005A commingles with municipal storm water prior to entering the Acushnet River.

The area surrounding the Revere Copper Facility is heavily urbanized and characterized by buildings and pavement. All on-site unpaved surfaces are covered with compacted gravel and there are no landscaped areas containing vegetation within the facility property. Both outfalls have catch basins that are equipped with particle filters/screens that are inspected/ cleaned according to the facility Storm Water Pollution Prevention Plan (SWPPP). The total drainage area covered by Outfall 003A is 294,911 square feet, 265,420 square feet of which is impervious. The total drainage of 005A is 164,514 square feet, 148,063 square feet of which is impervious.

C. Derivation of Effluent Limits under the Federal CWA and/or the Commonwealth of Massachusetts' Water Quality Standards**1. pH**

Massachusetts State Surface Water Quality Standards require the pH of Class SB waters to be within the range of 6.5 to 8.5 standard units (s.u.). The Draft Permit identifies a pH permit limit range of 6.5 to 8.5 for Outfall 003A, which has been established in accordance with the State Surface Water Quality Standards. The discharge shall not exceed this pH range unless due to natural causes. In addition, there shall be no change from background conditions that would impair any uses assigned to the receiving water class. A pH of 4.1 was recorded in January 2005, which was due to a process error with the boiler that was corrected. High pH's of 9.1 and 8.7 were recorded in July 2004 and August 2005, respectively, and, according to the facility, were due to background conditions.

2. Total Suspended Solids

The Draft Permit contains monitoring and reporting requirements for TSS for Outfall 003A and Outfall 005A. These requirements are included based on considering the Sector F (Primary Metals) of the Draft NPDES Storm Water Multi-Sector General Permit for Industrial Activities. This sector covers facilities that have been engaged in the primary smelting, secondary smelting, refining, rolling, drawing, and extruding of copper and nonferrous metals. It contains monitoring requirements for total suspended solids with a benchmark monitoring cutoff concentration of 100 mg/l. This concentration is not an effluent limitation but rather an indication of the effectiveness of the facility's Storm Water Pollution Prevention Plan (SWPPP – see Part VI.C.9.). Concentrations that exceed the benchmark monitoring cutoff concentration indicate a need for careful review of the SWPPP to ensure that appropriate best management practices (BMPs) are being implemented. Historical data (Attachment B) from the facility indicates an average concentration of 7.06 mg/l of TSS in the discharge from Outfall 003A.

3. Total Recoverable Copper and Total Recoverable Zinc

The Acushnet River (MA95-42) is listed on the Massachusetts 303(d) list as impaired for metals. Revere Copper Products no longer discharges process wastewater that contains dissolved metals to the Acushnet River however, based on the long history of industrial activity at this site, storm water discharges may contain concentrations of residual metals. Sector F (Primary Metals) of the Draft NPDES Storm Water Multi-Sector General Permit for Industrial Activities contains benchmark monitoring requirements of 0.12 mg/l for Total Recoverable Zinc and 0.014 mg/l for Total Recoverable Copper. Data from February 2004-August 2007 (Attachment B – Outfall 005A) has shown that storm water from the facility contains concentrations of total recoverable copper and total recoverable zinc greater than the benchmark levels. These levels are not effluent limitations but rather an indication of the effectiveness of the facility's Storm Water Pollution Prevention Plan (SWPPP – see Part VI.C.4.). Concentrations that exceed the benchmark monitoring cutoff concentration indicate a need for careful review of the SWPPP to ensure that appropriate best management practices (BMPs) are being implemented.

Historically, EPA addresses storm water discharges through implementation of Best Management Practices (BMPs). Based on this practice and the high levels of zinc and copper in storm water discharges (see Attachment B), the Draft Permit requires the facility to review and update the storm water pollution prevention plan (SWPPP - see Part VI.C.4.). In addition, the Draft Permit contains reporting requirements for both outfalls for copper (total recoverable and total dissolved) and zinc (total recoverable and total dissolved). (Note: Metals concentrations in this permit are measured as either 'Total Recoverable Metals' or 'Total Dissolved Metals'. The difference between these terms is discussed in "Office of Water Policy and Technical Guidance on Interpretation and Implementation of Aquatic Life Metals Criteria, October 1, 1993, by Martha G. Prothro, Acting Assistant Administrator for Water).

4. Storm Water Pollution Prevention Plan (SWPPP)

This facility engaged in activities of which the residual affects could result in the discharge of pollutants to waters of the United States either directly or indirectly through storm water runoff. The on-site operations included at least one of the following in an area potentially exposed to precipitation or storm water: material storage, in-facility transfer, material processing, material handling, or loading and unloading. To control residual affects of these activities/operations, which could contribute pollutants to waters of the United States, potentially violating the State's Water Quality Standards, the Draft Permit requires the facility to develop, implement, and maintain a Storm Water Pollution Prevention Plan (SWPPP) containing best management practices (BMPs) appropriate for this specific facility (See Sections 304(e) and 402(a)(1) of the CWA and 40 CFR §125.103(b)).

The goal of the SWPPP is to reduce, or prevent, the discharge of pollutants through the storm water system. The SWPPP requirements in the Draft Permit are intended to provide a systematic approach by which the permittee shall at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of the permit. The SWPPP shall be prepared in accordance with good engineering practices and identify potential sources of pollutants, which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. The SWPPP, upon implementation, becomes a supporting element to any numerical effluent limitations in the Draft Permit. Consequently, the SWPPP is as equally enforceable as the numerical limits.

This process involves the following four main steps:

- (1) Forming a team of qualified facility personnel who will be responsible for developing and updating the SWPPP and assisting the plant manager in its implementation;
 - (2) Assessing the potential storm water pollution sources;
 - (3) Selecting and implementing appropriate management practices and controls for these potential pollution sources; and
 - (4) Reevaluating, periodically, the effectiveness of the SWPPP in preventing storm water contamination and in complying with the various terms and conditions of the Draft Permit.
- The Draft Permit requires Revere Copper to review the existing facility SWPPP and determine that it satisfies the general requirements as well as the Sector F (Primary Metals) requirements

for SWPPPs included in the most current version of the MSGP (October 30, 2000 – see 65 FR 64812-64815 and 64823-64824). This provision is included to address the historic levels of copper and zinc (see Attachment B) in storm water through the implementation of best management practices (BMPs). Specifically, the SWPPP should contain provisions for identifying and eliminating sources of zinc and copper to minimize contamination of storm water to the maximum extent practicable.

VII. Essential Fish Habitat

Under the 1996 Amendments (PL 104-267) to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. Sect. 1801 et seq. (1998)), EPA is required to consult with the National Marine Fisheries Service (NMFS) if EPA's action or proposed actions that it funds, permits or undertakes, "may adversely impact any essential fish habitat." 16 U.S.C. Sect. 1855(b). The Amendments broadly define "essential fish habitat" (EFH) as "waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity." 16 U.S.C. Sect. 1802(10). Adverse impact means any impact which reduces the quality and/or quantity of EFH. 50 CFR Sect. 600.910(a). Adverse effects may include direct (e.g., contamination or physical disruption), indirect (e.g., loss of prey, reduction in species' fecundity), site-specific or habitat-wide impacts, including individual, cumulative or synergistic consequences of actions.

Essential Fish Habitat is only designated for fish species for which federal Fisheries Management Plans exist. 16 U.S.C. Sect. 1855(b)(1)(A). EFH designations for New England were approved by the U.S. Department of Commerce on March 3, 1999.

A review of the relevant essential fish habitat information provided by NMFS indicates that essential fish habitat has been designated for 20 managed species within the NMFS boundaries encompassing the outfall location. A copy of the managed species within the EFH is included in Attachment D of this Fact Sheet. EPA has concluded that the permitted discharge will not likely adversely impact the EFH and the managed species identified for this location. This conclusion is based on the amount and frequency of the discharge, as well as effluent limitations and other permit requirements that are identified in this Fact Sheet. These factors are designed to be protective of all aquatic species, including those with EFH designations.

EPA has determined that no EFH consultation with NMFS is required because the proposed discharge will not adversely impact the EFH. If adverse impacts are detected as a result of this permit action, NMFS will be notified and an EFH consultation will promptly be initiated. A copy of the Draft Permit has been provided to the NMFS for review and comment.

VIII. Endangered Species Act

Section 7(a) of the Endangered Species Act of 1973, as amended (ESA) grants authority to and imposes requirements upon Federal agencies regarding endangered or threatened species of fish, wildlife, or plants ("listed species") and habitat of such species that has been designated as critical (a "critical habitat"). The ESA requires every Federal agency, in consultation with and with the assistance of the Secretary of Interior, to insure that any action it authorizes, funds, or carries out, in the United States or upon the high seas, is not likely to jeopardize the continued

existence of any listed species or result in the destruction or adverse modification of critical habitat. The United States Fish and Wildlife Service (USFWS) administers Section 7 consultations for freshwater species. The National Marine Fisheries Service (NMFS) administers Section 7 consultations for marine species and anadromous fish.

EPA has reviewed the federal endangered or threatened species of fish, wildlife, or plants to see if any such listed species might potentially be impacted by the re-issuance of this NPDES permit. EPA believes the proposed limits are sufficiently stringent to assure that water quality standards will be met and to ensure protection of aquatic life and maintenance of the receiving water as an aquatic habitat. The Region finds that adoption of the proposed permit is unlikely to adversely affect any threatened or endangered species or its critical habitat. If adverse effects do occur as a result of this permit action, or if new information becomes available that changes the basis for this conclusion, then EPA will notify and consultation will promptly be initiated with both the USFWS and the NMFS. A copy of the Draft Permit has been provided to both USFWS and NMFS for review and comment.

IX. Monitoring

The permittee is obligated to monitor and report sampling results to EPA and the MassDEP within the time specified within the permit. Timely reporting is essential for the regulatory agencies to expeditiously assess compliance with permit conditions.

X. State Certification Requirements

EPA may not issue a permit unless the State of Massachusetts Department of Environmental Protection with jurisdiction over the receiving waters certifies that the effluent limitations contained in the permit are stringent enough to assure that the discharge will not cause the receiving water to violate State Water Quality Standards. The staff of the State of Massachusetts Department of Environmental Protection has reviewed the draft permit, and advised EPA that the limitations are adequate to protect water quality. EPA has requested permit certification by the State pursuant to 40 CFR 124.53 and expects that the draft permit will be certified.

XI. Comment Period, Hearing Requests, and Procedures for Final Decisions

All persons, including applicants, who believe any condition of the Draft Permit is inappropriate must raise all issues and submit all available arguments and all supporting material for their arguments in full by the close of the public comment period, to Sara Green, U.S. EPA, Office of Ecosystem Protection, Industrial Permits Branch, 1 Congress Street, Suite 1100, Boston, Massachusetts 02114-2023. Any person, prior to such date, may submit a request in writing for a public hearing to consider the Draft Permit to EPA and the State Agency. Such requests shall state the nature of the issues proposed to be raised in the hearing. A public meeting may be held if the criteria stated in 40 C.F.R. § 124.12 are satisfied. In reaching a final decision on the Draft Permit, the EPA will respond to all significant comments and make these responses available to the public at EPA's Boston office.

Following the close of the comment period, and after any public hearings, if such hearings are held, the EPA will issue a Final Permit decision and forward a copy of the final decision to the applicant and each person who has submitted written comments or requested notice. Within 30 days following the notice of the Final Permit decision, any interested person may submit a petition for review of the permit to EPA's Environmental Appeals Board consistent with 40 C.F.R. § 124.19.

XII. EPA Contact

Additional information concerning the draft permit may be obtained between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays from:

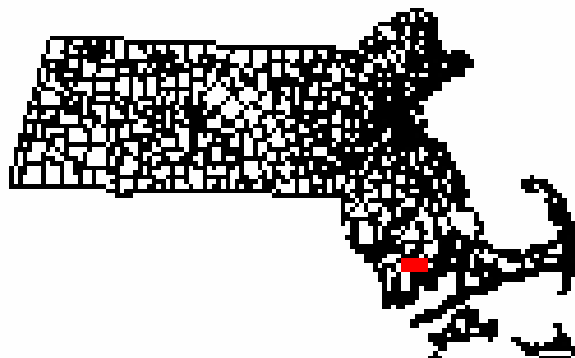
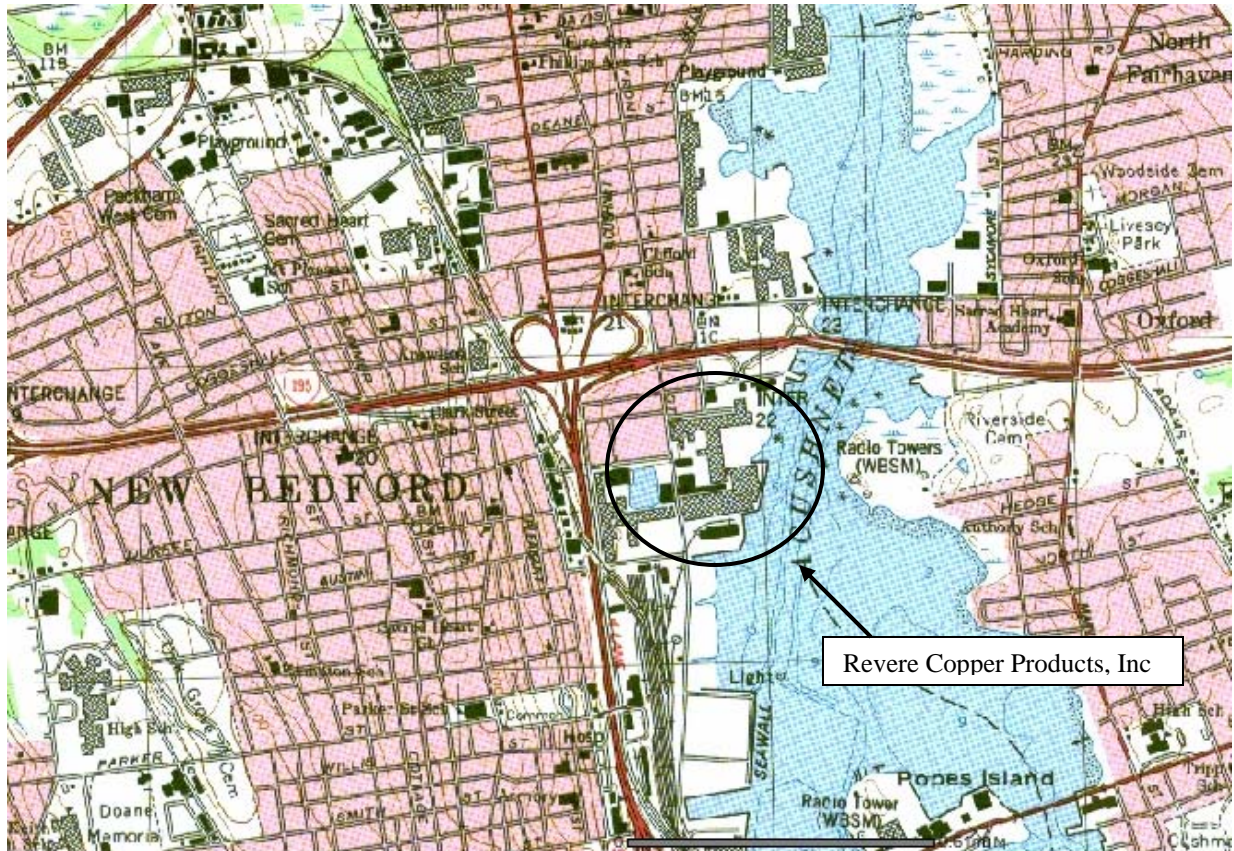
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February 13, 2008

Stephen S. Perkins, Director
Office of Ecosystem Protection
U.S. Environmental Protection Agency

ATTACHMENT A
Revere Copper Products, Inc (MA0004821)
Site Locus Map



Source: MassGIS USGS Topographic Maps
United States December 1995

ATTACHMENT B
Revere Copper Products, Inc. (MA0004821)
Outfall 003A – Dry Sampling Results Taken after Rerouting Process Water
January 2004 through September 2007

Monitor Period End Date	Flow GPD	TSS (mg/l)		Temperature (°F)	pH (s.u.)	
	Monthly Avg.	Daily Max	Monthly Avg.	Daily Max	Max	Min
1/31/2005	74,716	80	22.9	54	8	4.1
2/28/2005	49,815	7	3.3	54	7.8	7.1
3/31/2005	32,371	4	3.4	60	7.4	7.1
4/30/2005	5,257	3	2.3	64	8.2	7.2
5/31/2005	17,884	3	2.2	71	8.4	7.1
6/30/2005	12,430	4.5	3.5	81	7.5	7.1
7/31/2005	17,871	5.9	14	89	8.4	7.2
8/31/2005	18,357	5	3.5	84.2	8.7	7
9/30/2005	19,651	6	3.6	83	8.5	6.8
10/31/2005	8,748	1	0.8	74	6.9	6.5
11/30/2005	175,897	6.5	3.8	64	8.1	6.6
12/31/2005	11,446	4	1.5	59	8.3	6.8
1/31/2006	32,100	6.5	2.3	56	7.6	7.1
2/28/2006	31,779	4	3	52	7.6	6.8
3/31/2006	16,384	2	1.1	57	8.3	7.3
4/30/2006	15,353	5	2	64	8	6.9
5/31/2006	25,994	1	0.9	81	8.2	6.9
6/30/2006	23,439	6.5	4	82	7	6.5
7/31/2006	11,777	5.2	14	84	7.6	6.6
8/31/2006	16,073	4	3.1	86	8.3	7
9/30/2006	19,154	5.5	2.5	81	7.8	7
10/31/2006	16,148	7.5	5	72	7.4	6.7
11/30/2006	8,287	3	1.9	68	7.5	6.7
12/31/2006	4,277	6.5	5.2	64	7.3	6.8
1/31/2007	16,724	6	3.9	61	7.5	6.9
2/28/2007	19,693	8	4.8	57	8.9	7.5
3/31/2007	15,042	6.5	3.8	59		9.1
4/30/2007	31,057	4.5	2.9	66	8.2	6.5
5/31/2007	17,755	3.9	12	74	7.7	6.7
6/30/2007	9,420	3.5	2.4	83	7.4	6.1
7/31/2007	13,302	2.5	2.2	89	7.1	6.6
8/31/2007	13,510	5	3.2	89	8.8	6.7
9/30/2007	10,240	6.5	1.8	76	7.7	7.3

Permit Limits	165000	30	20	85	8.5	6.5
Minimum	4277	1	0.8	52	6.9	4.1
Maximum	175897	80	22.9	89	8.9	9.1
Average	24604.58	7.06	4.45	70.85	7.88	6.86
Standard Deviation	30328.28	13.21	4.64	11.97	0.52	0.69
#measurement	33	33	33	33	32	33
#exceed limits	1	1	1	4	3	2

ATTACHMENT B
Revere Copper Products, Inc. (MA0004821)
Outfall 003A – Dry Sampling Results Taken after Rerouting Process Water
January 2005 through September 2007

Monitor Period End Date	Total Chromium (mg/l)		Hexavalent Chromium (mg/l)		Total Copper (mg/l)	
	Daily Max	Monthly Average	Daily Max	Monthly Average	Daily Max	Monthly Average
1/31/2005	0.2	0.2	0.01	0.01	0.2	0.2
2/28/2005	0.2	0.2	0.01	0.01	0.2	0.2
3/31/2005	0.2	0.2	0.01	0.01	0.1	0.1
4/30/2005	0.2	0.2	0.01	0.01	0.1	0.1
5/31/2005	0.2	0.2	0.03	0.03	0.2	0.2
6/30/2005	0.2	0.2	0.02	0.02	0.1	0
7/31/2005	0.2	0.2	0.01	0.01	0.1	0
8/31/2005	0.2	0.2	0.03	0.01	0.1	0.1
9/30/2005	0.2	0.2	0.02	0.02	0.1	0.1
10/31/2005	0.2	0.2	0.02	0.01	0.1	0.1
11/30/2005	0.2	0.2	0.01	0.01	0.1	0.1
12/31/2005	0.2	0.2	0.01	0.01	0.1	0.1
1/31/2006	0.2	0.2	0.01	0.01	0.1	0.1
2/28/2006	0.2	0.2	0.03	0.03	0.1	0.1
3/31/2006	0.2	0.2	0.02	0.02	0.1	0.1
4/30/2006	0.2	0.2	0.01	0.01	0.1	0.1
5/31/2006	0.2	0.2	0.03	0.01	0.1	0.1
6/30/2006	0.2	0.2	0.02	0.02	0.2	0.1
7/31/2006	0.2	0.2	0.01	0.01	0.5	0.3
8/31/2006	0.2	0.2	0.02	0.02	0.1	0.1
9/30/2006	0.2	0.2	0.01	0.01	0.1	0.1
10/31/2006	0.2	0.2	0.01	0.01	0.1	0.1
11/30/2006	0.2	0.2	0.01	0.01	0.2	0.1
12/31/2006	0.2	0.2	0.02	0.01	0.2	0.1
1/31/2007	0.2	0.2	0.01	0.01	0.1	0.1
2/28/2007	0.2	0.2	0.02	0.02	0.4	0.4
3/31/2007	0.2	0.2	0.01	0.01	0.3	0.2
4/30/2007	0.2	0.1	0.01	0.01	0.1	0.1
5/31/2007	0.2	0.1	0.02	0.02	0.01	0.01
6/30/2007	0.2	0.2	0.03	0.02	0.2	0.2
7/31/2007	0.2	0.2	0.02	0.02	0.1	0.1
8/31/2007	0.1	0.1	0.01	0.01	0.1	0.1
9/30/2007	0.1	0.1	0.04	0.04	0.67	0.67

Permit Limits	1.5	0.6	0.1	0.05	0.7	0.7
Minimum	0.1	0.1	0.01	0.01	0.01	0
Maximum	0.2	0.2	0.04	0.04	0.67	0.67
Average	0.193939	0.19	0.02	0.01	0.16	0.14
Standard Deviation	0.024231	0.03	0.01	0.01	0.13	0.12
#measurement	33	33	33	33	33	33
#exceed limits	0	0	0	0	0	0

ATTACHMENT B
Revere Copper Products, Inc. (MA0004821)
Outfall 003A – Dry Sampling Results Taken after Rerouting Process Water
January 2005 through September 2007

Monitor Period End Date	Total Lead (mg/l)		Total Nickel (mg/l)		Total Zinc (mg/l)	
	Daily Max	Average Monthly	Daily Max	Average Monthly	Daily Max	Average Monthly
1/31/2005	0.2	0.2	0.2	0.1	0.3	0.2
2/28/2005	0.2	0.2	0.1	0.1	0.4	0.2
3/31/2005	0.2	0.2	0.05	0	0.3	0.2
4/30/2005	0.2	0.2	0.1	0.1	0.1	0.1
5/31/2005	0.2	0.2	0.1	0.1	0.1	0.1
6/30/2005	0.2	0.2	0.05	0	0	0
7/31/2005	0.2	0.2	0.1	0.1	0.1	0.1
8/31/2005	0.2	0.2	0.1	0.1	0.1	0.1
9/30/2005	0.2	0.2	0.05	0.05	0.1	0
10/31/2005	0.2	0.2	0.1	0.1	0.2	0.1
11/30/2005	0.2	0.2	0.1	0.1	0.05	0.05
12/31/2005	0.2	0.2	0.1	0.1	0.1	0.1
1/31/2006	0.2	0.2	0.1	0.1	0.1	0.1
2/28/2006	0.2	0.2	0	0	0.1	0.1
3/31/2006	0.2	0.2	0.05	0	0.05	0
4/30/2006	0.2	0.2	0.1	0.1	0.1	0.1
5/31/2006	0.2	0.2	0.1	0.1	0.2	0.1
6/30/2006	0.2	0.1	0.1	0.1	0.4	0.3
7/31/2006	0.2	0.2	0.1	0.1	0.1	0.1
8/31/2006	0.2	0.2	0.1	0.1	0.05	0.05
9/30/2006	0.2	0.2	0.05	0.05	0.1	0.1
10/31/2006	0.2	0.2	0.2	0.1	0.1	0.1
11/30/2006	0.2	0.2	0.1	0.1	0.4	0.2
12/31/2006	0.2	0.2	0.1	0.1	0.4	0.3
1/31/2007	0.2	0.2	0.1	0.1	0.1	0.1
2/28/2007	0.2	0.2	0.1	0.1	0.6	0.4
3/31/2007	0.2	0.2	0.1	0.1	0.2	0.1
4/30/2007	0.2	0.2	0.1	0.1	0.1	0.1
5/31/2007	0.2	0.2	0.1	0.1	0.05	0.05
6/30/2007	0.2	0.2	0.2	0.1	0.4	0.3
7/31/2007	0.2	0.2	0.1	0.1	0.3	0.2
8/31/2007	0.2	0.2	0.1	0.1	0.1	0.1
9/30/2007	0.08	0.08	0.1	0.1	0.69	0.69

Permit Limits	0.5	0.4	2	1.5	2	1.5
Minimum	0.08	0.08	0	0	0	0
Maximum	0.2	0.2	0.2	0.1	0.69	0.69
Average	0.196364	0.19	0.10	0.08	0.20	0.15
Standard Deviation	0.020889	0.03	0.04	0.03	0.17	0.13
#measurement	33	33	33	33	33	33
#exceed limits	0	0	0	0	0	0

ATTACHMENT B
Revere Copper Products, Inc. (MA0004821)
Outfall 003A – Whole Effluent Toxicity (WET) Testing Results
September 2003 through March 2006

Monitor Period End Date	LC ₅₀	Acute Toxicity Test Mysid Shrimp
31-Mar-06	100	100
30-Sep-05	100	100
31-Mar-05	100	100
30-Sep-04	100	100
31-Mar-04	100	100
30-Sep-03	100	25

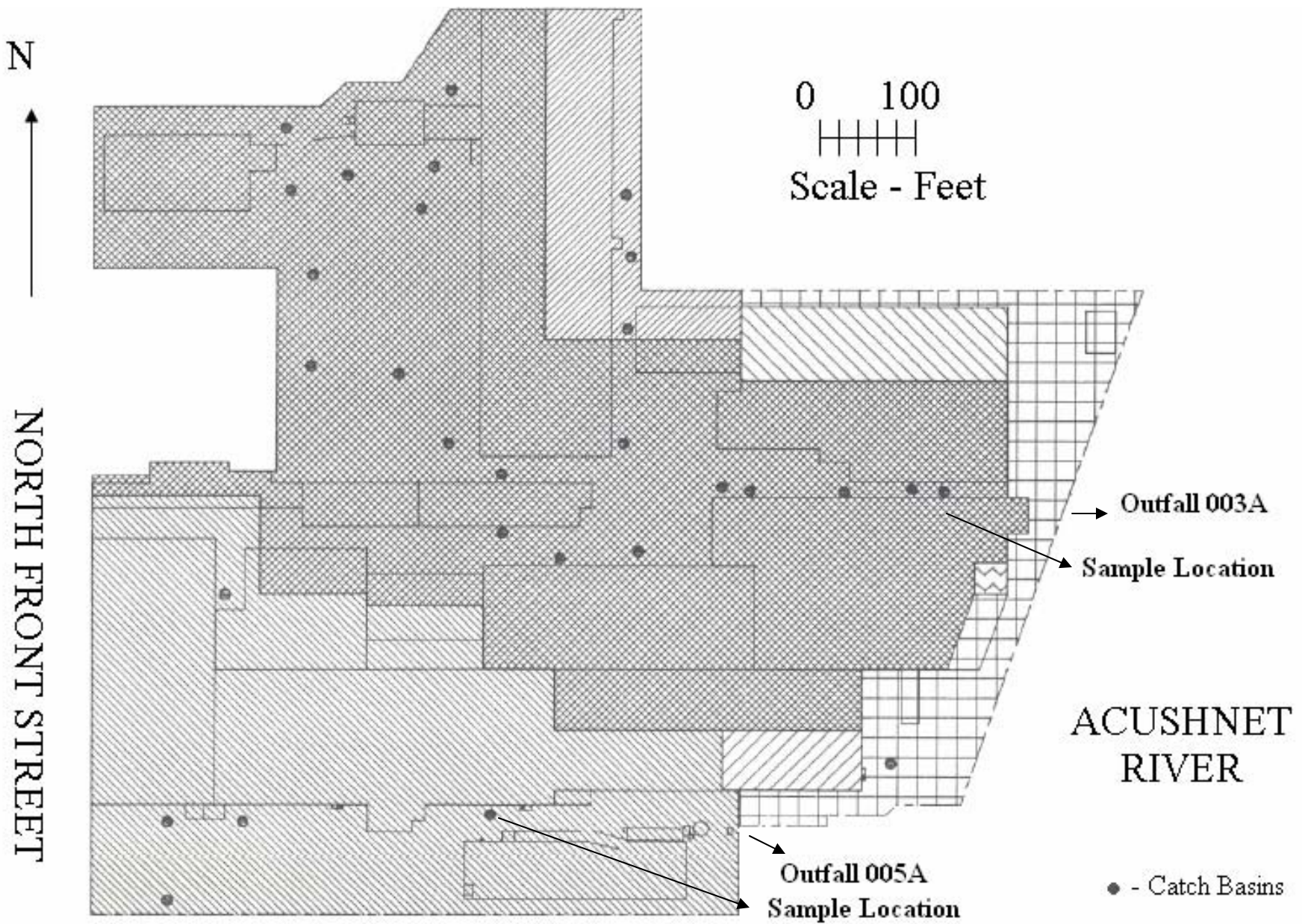
Permit Limits	50%	-
#measurement	5	5
#exceed limits	-	1

ATTACHMENT B
Revere Copper Products, Inc. (MA0004821)
Outfall 005A – Wet Sampling Results
February 2004 through August 2007

Monitor Period End Date	Total Recoverable Zinc (mg/l)	Total Recoverable Copper (mg/l)	Flow GPD
	Maximum Concentration	Maximum Concentration	Max
2/29/2004	C	C	C
3/31/2004	0.57	0.36	44098
5/31/2004			
8/31/2004	0.23	0.19	58,456
11/30/2004	0.46	0.21	38,971
2/28/2005	C	C	C
5/31/2005	1.02	0.56	30,766
8/31/2005	C	C	C
11/30/2005	C	C	C
2/28/2006	0.47	0.26	88,197
5/31/2006	C	C	C
8/31/2006	0.67	0.64	37,945
11/30/2006	C	C	C
2/28/2007	0.79	0.47	7,179
5/31/2007	C	C	C
8/31/2007	C	C	C

Permit Limits	Report	Report	Report
Minimum	0.23	0.19	7179
Maximum	1.02	0.64	88197
Average	0.60	0.38	43658.86
Standard Deviation	0.26	0.18	25014.74
#measurement	7	7	7
#exceed limits	NA	NA	NA

ATTACHMENT C
Revere Copper Products, Inc (MA0004821)
Outfall Locations



ATTACHMENT D
Revere Copper Products, Inc. (MA0004821)
Summary of Essential Fish Habitat (EFH) Designation

Outfall 003A and 005A - 10' x 10' Square Coordinates

Boundary	North	East	South	West
Coordinate	41°40.0' N	70°50.0' W	41°30.0' N	71°00.0' N

Square Description (i.e. habitat, landmarks, and coastline markers): Waters within Buzzards Bay within the Atlantic Ocean within the square affecting the following: south of Dartmouth, MA., New Bedford, MA., and Fairhaven, MA., from Sconticut Neck and the western part of West Island to Slocum Neck and Barney's Joy Point in Dartmouth, MA. Also affected are: Wilkes Ledge Mishaum Pt., Round Hill Pt., Smith Neck, Dumpling Rocks, Negro Ledge, Great Ledge, Phinney Rock, Pawn Rock, White Rock, Hussey Rock, Apponagansett Bay, Ricketson Pt. in South Dartmouth, MA., Apponagansett, MA., Clarks Cove, Clarks Pt. in Fairhaven, MA., Butler Flats, Mosher Ledge, Wilbur Pt. on Sconticut Neck, Bents Ledge, Middle Ledge, and West Ledge. These waters are also within western Nasketucket Bay, east of Sconticut Neck and north of West I., and within New Bedford Harbor.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic Cod (<i>Gadus morhua</i>)	X	X	X	X
Haddock (<i>Melanogrammus aeglefinus</i>)	X	X		
Pollock (<i>Pollachius virens</i>)				
Whiting (<i>Merluccius bilinearis</i>)				
Offshore hake (<i>Merluccius albidus</i>)				
Red hake (<i>Urophycis chuss</i>)		X	X	X
White hake (<i>Urophycis tenuis</i>)				
Redfish (<i>Sebastes fasciatus</i>)	n/a			
Witch flounder (<i>Glyptocephalus cynoglossus</i>)				
Winter flounder (<i>Pleuronectes americanus</i>)	X	X	X	X
Yellowtail flounder (<i>Pleuronectes ferruginea</i>)				
Windowpane flounder (<i>Scophthalmus aquosus</i>)	X	X	X	X
American Plaice (<i>Hippoglossoides platessoides</i>)			X	X
Ocean pout (<i>Macrozoarces americanus</i>)				
Atlantic halibut (<i>Hippoglossus hippoglossus</i>)				
Atlantic sea scallop (<i>Placopecten magellanicus</i>)				
Atlantic sea herring (<i>Clupea harengus</i>)			X	X
Monkfish (<i>Lophius americanus</i>)				
Bluefish (<i>Pomatomus saltatrix</i>)			X	X
Long finned squid (<i>Loligo pealei</i>)	n/a	n/a	X	X
Short finned squid (<i>Illex illecebrosus</i>)	n/a	n/a		
Atlantic butterfish (<i>Peprilus triacanthus</i>)	X	X	X	X

Atlantic mackerel (<i>Scomber scombus</i>)	X	X	X	X
Summer flounder (<i>Paralichthys denatatus</i>)	X	X	X	X
Scup (<i>Stenotomus chrysops</i>)	X	X	X	X
Black sea bass (<i>Centropistus striata</i>)	n/a	X	X	X
Surf clam (<i>Spisula solidissima</i>)	n/a	n/a	X	X
Ocean quahog (<i>Artica islandica</i>)	n/a	n/a		
Spiny dogfish (<i>Squalus acanthias</i>)	n/a	n/a		
Tilefish (<i>Lopholatilus chamaeleonticeps</i>)				
King Mackerel (<i>Scomberomorus cavalla</i>)	X	X	X	X
Spanish Mackerel (<i>Scomberomorus maculatus</i>)	X	X	X	X
Cobia (<i>Rachycentron canadum</i>)	X	X	X	X
Sandbar shark (<i>Charcharinus plumbeus</i>)				X
Bluefish tuna (<i>Thunnus thynnus</i>)			X	